

REMARKS/ARGUMENTS

Favorable reconsideration of this Application, as presently amended and in light of the following discussion, is respectfully requested.

This Amendment is in response to the Office Action mailed on January 13, 2004. Claims 14, 16-23, 25, 26, and 28 are pending in the Application and stand rejected. Claims 14, 16, and 23 are amended by the present Amendment.

Claims 14, 16-23, 25, 26, and 28 stand rejected under 35 U.S.C. §112, second paragraph. Claims 14, 16, 20, 23, 25, 26, and 28 stand rejected under 35 U.S.C. §102(b) as being anticipated by Wood (U.S. Patent No. 4,763,990, hereinafter "Wood"). Claims 17-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wood in view of Chen et al. (U.S. Patent No. 5,436,763). Claims 21-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wood in view of Wood et al. (U.S. Patent No. 4,582,389).

Applicants thank the Examiner for the courtesy of an interview extended to Applicants' representative on March 15, 2004. During the interview, Amendments to the claims as herein presented were proposed, and arguments as hereinafter developed were presented. The instant invention recites the formation of a second intermediate image capable of increasing the image quality viewed by the user as discussed in Applicants' Specification.¹ In view of the discussion during the personal interview, an agreement was reached. As indicated on the interview summary (form PTO 413), the agreement included the fact that "Applicant's representative and Examiner discussed prior art, Wood, and agreed that Wood does not teach formation of a second intermediate image. Furthermore, amendments to claim 1 were proposed by Applicant's representative in regard to overcoming 112 2nd paragraph rejection from previous office action."

¹ See, for example, Specification, page 12, lines 18-23.

Claims 14, 16-23, 25, 26, and 28 stand rejected under 35 U.S.C. §112, second paragraph. As noted in the outstanding Office Action, there was a concern that, as previously recited, Claim 14 was not descriptive of the claimed invention because it was the position of the Office that the intermediate image 25 was not formed by off-axis spherical mirror 1 with light originating from the user's eye. As proposed during the interview, Applicants have amended Claim 14 to remove the language objected to in the outstanding Office Action. Therefore, Applicants submit that the amendments to Claim 14 enclosed herein have overcome the rejections under 35 U.S.C. §112 and respectfully request their withdrawal. If the Examiner believes that further amendments are necessary, he is respectfully requested to contact Applicants' representative for further discussion to arrive at a mutually acceptable language for Claim 14.

In view of the present amendment and the results of the personal interview, Applicants respectfully submit that the above-summarized rejections based on 35 U.S.C. §§112, 102, and 103 are now moot. Their withdrawal is respectfully requested.

Based at least on the foregoing reasons, Applicants believe the present application is in condition for allowance and respectfully solicit an early Notice of Allowability.

Respectfully submitted,

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